

**DISTRICT OF COLUMBIA  
DOH OFFICE OF ADJUDICATION AND HEARINGS**

DISTRICT OF COLUMBIA  
DEPARTMENT OF HEALTH

Petitioner,

v.

J. ADRIAN

Respondent

Case Nos.: I-02-72315  
I-02-72349

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**FINAL ORDER**

On October 25, 2002, I issued an order requiring the Government to show cause why this case should not be dismissed for lack of proper service. The October 25 Order noted that a notice of default issued the by clerk of the Office of Adjudication and Hearings was mailed to Respondent at the service address used by the Government and was returned by the Postal Service marked “AUK” (Addressee Unknown). This raised the question whether the Government had properly served Respondent by mail at his or her last known business address, *see* D.C. Official Code § 2-1802.05.

In response, the Government has filed a copy of a deed, which it asserts is the last recorded deed to the property at issue in this case, located at 3542 13<sup>th</sup> Street, N.W.<sup>1</sup> That deed, however, identifies the owners of the property as “J. Adrian Robinson and Janessa Robinson.” The named Respondent in this case, however, is “J. Adrian,” not J. Adrian Robinson or Janessa Robinson. Moreover, the service address used by the Government – 1620 S Street, N.W. – does

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<sup>1</sup> Because the deed contains only a legal description, and not a mailing address, it is not possible to determine whether it is a deed to the property at 3542 13<sup>th</sup> Street N.W. Because the Notices of Infraction must be dismissed for other reasons, I need not decide whether the deed, by itself, would be sufficient to prove the ownership of 3542 13<sup>th</sup> Street, N.W.

not appear anywhere on the deed. Accordingly, the Government has failed to meet its burden of showing that it has properly served J. Adrian, the Respondent it chose to name in this case, and the case must be dismissed. The dismissal will be without prejudice to the Government's right to re-serve the Respondent or to serve someone else, if it believes any such person to be the proper Respondent.

For the reasons stated above, it is, this \_\_\_\_ day of \_\_\_\_\_, 2002:

**ORDERED**, that, pursuant to D.C. Official Code § 2-1802.05, the Notices of Infraction are **DISMISSED WITHOUT PREJUDICE** for lack of proper service; and it is further

**ORDERED**, that, due to the lack of a current mailing address for Respondent, this Order shall not be served upon Respondent.

/f/ 12/02/02

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John P. Dean  
Administrative Judge